

MUNICIPAL DISTRICT OF PROVOST NO. 52

MUNICIPAL DEVELOPMENT PLAN

BYLAW NO. 2132

*Office Consolidation
(With Amendments to March 15, 2011)*

PREPARED BY:

THE MUNICIPAL DISTRICT OF PROVOST NO. 52

&

PALLISER REGIONAL MUNICIPAL SERVICES

The Municipal Development Plan may be amended from time to time. Every effort is made to update the plan as amendments occur.

Anyone reading this plan should consult with the Development Officer or M.D of Provost office (Phone: (780) 753-2434 to determine whether amendments have been made since the date printed below.

Readers are cautioned to consult the actual amending bylaws. In case of inconsistency between this plan and an amending bylaw, the amending bylaw shall prevail.

September 20, 2005

BYLAW NO. 2132

WHEREAS the Council of the Municipal District of Provost No. 52 considers it appropriate to adopt a Municipal Development Plan for the purpose of managing the future land use development of the municipality; and

WHEREAS this Bylaw applies to all land within the boundaries of the Municipal District of Provost No. 52 in the Province of Alberta; and

WHEREAS Section 632(2) of the Municipal Government Act S.A. 1994 Ch. M.26-1 authorizes the Municipal District of Provost No. 52 to adopt a Bylaw known as the Municipal District of Provost No. 52 Municipal Development Plan;

NOW THEREFORE, the Council of the Municipal District of Provost No. 52 enacts the following:

- (1) That the Municipal District of Provost No. 52 Municipal Development Plan, being the document attached hereto, is hereby adopted in its entirety.
- (2) That Bylaw No. 2009 known as the Municipal District of Provost No. 52 Municipal Development Plan, as amended, is repealed.
- (3) That this Bylaw comes into effect on the date of the third and final reading.

READ A FIRST TIME THIS 11TH DAY OF APRIL A.D., 2002 AND ADVERTISED THE 24TH DAY OF APRIL A.D., 2002 AND THE 1ST DAY OF MAY A.D., 2002 IN THE PROVOST NEWSPAPER. A PUBLIC HEARING WAS HELD THE 9TH DAY OF MAY A.D., 2002.

READ A SECOND TIME THIS 9TH DAY OF MAY A.D., 2002.

READ A THIRD AND FINALLY PASSED THIS 9TH DAY OF MAY A.D., 2002.

**M.D. of PROVOST No. 52
BYLAW AMENDMENTS TO
MUNICIPAL DEVELOPMENT PLAN 2132**

BYLAW #	PART AMENDED	DESCRIPTION OF AMENDMENT	DATE PASSED
#2158	Sec. 9.0, 9.5, 12.7 & 15.0	Amend or adding policies regarding Municipal & School reserves, Urban Fringe and Airport Vicinity Protection Area.	Dec 9, 2004
	Sec. 8	Wind energy policies	February 2011

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MUNICIPAL DISTRICT OF PROVOST NO. 52

MUNICIPAL DEVELOPMENT PLAN

BYLAW NO. 2132

1.0 PREFACE

A Municipal Development Plan is a statutory planning document established under Section 632 of the Municipal Government Act. In this regard, the purpose of this Plan is to provide municipal residents with a concise and reasonable statement indicating the approach the Municipal District intends to take when dealing with existing and future land use development.

Although the Municipal District of Provost No. 52 is not obligated to prepare a Municipal Development Plan, pursuant to Section 632(2) of the Municipal Government Act, the Council believes that the land base and how it is used is very important to all Municipal residents.

2.0 HISTORY OF THE MUNICIPALITY

Homesteaders started arriving in the area now known as the Municipal District of Provost shortly before 1900 and, in 1909, they decided to form a Local Improvement District. Between 1912 and 1913, six independent municipalities were formed which were:

- Municipal District of Rosenheim No. 361
- Municipal District of Sifton No. 391
- Municipal District of Hillcrest No. 362
- Municipal District of Huamba No. 393
- Municipal District of Stocks No. 363
- Municipal District of Vale No. 392

In 1943, the Municipal Districts of Hillcrest and Sifton joined to become the Municipal District of Provost No. 362 with the other four municipalities joining shortly after. This municipality was renumbered to No. 52 in 1945.

3.0 DESCRIPTION OF THE MUNICIPALITY

Located in east central Alberta, the Municipal District of Provost is 300 km east of Red Deer and 300 km southeast of Edmonton. Two major provincial highways bisect the municipality: Highway 13 running east-west and Highway 41 running north-south. Other transportation systems include the municipal airport located just outside the Town of Provost and the Pheasant Hills line of the Canadian Pacific Railway.

The Municipal District of Provost has a land base of 3579.34 km² and is bounded on the east by the province of Saskatchewan. The municipality is adjacent to three Saskatchewan Rural Municipalities (R.M. of Eyehill, R.M. of Heartshill, and R.M. of Seniac) and four Alberta rural municipalities (M.D. of Wainwright which includes the Wainwright Military Base, the County of Flagstaff, the County of Paintearth, and Special Areas No. 4). As well, the Town of Provost and the Villages of Amisk, Czar, and Hughenden are located within the Municipal District of Provost. The municipality's own hamlets include Bodo, Hayter, Metiskow, and Cadogan. In addition to these residential communities, there is also a grouped country residential known as Shorncliffe Estates and two seasonal communities at Capt. Arye Lake and Shorncliffe Lake.

Of the employed individuals in the M.D. of Provost, 56% work in the primary sector of the economy, which includes agriculture, oil and gas, and other resource-based industries. The

secondary sector of the economy, that dealing with manufacturing and construction, employs only 6% of workers, and the remaining 38% of workers are employed in service industries or the tertiary sector.

4.0 POPULATION

Changes in agriculture have had a significant impact on the M.D. of Provost. The population, which had reached 5500 people in 1945, has decreased significantly over the years. By 1985 the population had declined to 2708 people and to approximately 2536 people in 1991. In the 1996 Federal Census, however, the population had increased slightly to 2705 people. Figure 1 compares the population components for the Municipal District of Provost with that of the province. Apart from having a slightly less proportion of people aged 20 to 24, the municipality's population demographics closely resemble that of the province.

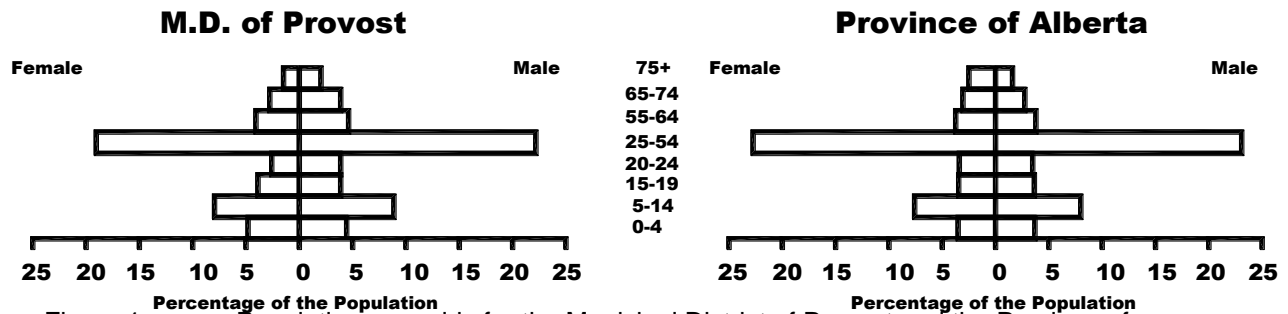


Figure 1. Population pyramids for the Municipal District of Provost and the Province of Alberta, based on the 1996 Federal Census.

5.0 PLAN GOALS

Plan goals indicate the overall direction the Municipal District wishes to take in managing land uses. In preparing these Plan goals, recognition has been given to the important role the agricultural industry plays in contributing to the growth and development of the Municipality. Natural resource base industries, specifically oil and gas exploration and development, have provided additional economic opportunities. In addition to recognizing the need to encourage the growth and development of the Municipality while maintaining a strong role for the agricultural industry, Council believes that this plan should only address issues which are important to the Municipal District.

Based on this understanding, the following four plan goals have been identified:

1. To conserve the agricultural land base.
2. To provide opportunities for well-planned growth.
3. To manage land use development within the municipality only to the extent necessary for the greater public good.
4. To encourage environmental sustainability through the conservation and protection of water, air, and soil resources.

Conserving the agricultural land base is considered by Council to be the most important Plan goal. Throughout the Plan certain land uses may be considered in order to provide growth opportunities. In these instances the Plan shall identify the relevant factors to be assessed in the decision-making process.

6.0 EXTENSIVE AGRICULTURE

Intent

Agriculture is the most extensive land use in the Municipal District. According to the Canada Land Inventory Classification System for Agricultural Capability, roughly 38% of the land area of the Municipality is considered to have a moderate to good capability to produce field crops. The Municipality contains a variety of agricultural operations, however, the eastern sector, in the vicinity of Provost, is generally used for field crop production. The western sector of the municipality has a lower capability to produce field crops and is often used in conjunction with livestock operations.

Within the municipality, livestock operations range in size from hobby farms to large-scale ranching operations. While these operations differ in the type and quantity of manure produced, they all must manage that manure in a safe method that does not threaten public health or environmental sustainability.

It is the intention of Council to provide objectives and policies which define and conserve the agricultural land base while recognizing those land uses and situations where exceptions from this general intention are appropriate. Further, it is the intention of Council to provide objectives and policies which guide the accumulation, storage, and of animal manures in a sustainable manner.

Objectives

1. To encourage agriculture to remain a viable and important use of land within the Municipal District.
2. To minimize the loss of productive agricultural land to non-agricultural uses.
3. To provide opportunities for the growth and prosperity of the agricultural community.
4. To protect agricultural operations by minimizing the impacts of such operations with adjacent uses.
5. To conserve and protect water resources.
6. To encourage management of animal manures in an environmentally sustainable manner.

Policies

- 6.1 In order to conserve the agricultural land base the Municipal District shall direct, where practical, subdivision and development to non-productive agricultural land.
- 6.2 The Municipal District shall define productive agricultural land as land which is presently used for agricultural operations as well as land which has a reasonable capability to support an agricultural use. Subject to a field inspection and based on the above statement, the Municipal District shall consider productive agricultural land to include:
 - land with an agricultural assessment rating of 40% or greater of the most productive land; and/or
 - land with a Canada Land Inventory Rating for Agricultural Capability of Class 4 or better which is used for pasture purposes.
- 6.3 The Municipal District will attempt to maintain the quarter section as the minimum parcel size for extensive agricultural operations.
- 6.4 When reviewing applications for the subdivision or development of land or applications to reclassify land under the Land Use Bylaw, the proponent shall demonstrate to the satisfaction of the approving authority that productive agricultural land is not unnecessarily lost to non-agricultural uses.
- 6.5 Notwithstanding policies 6.1, 6.2 and 6.4, the Municipal District may allow for the subdivision of one parcel from an undivided quarter section for non-agricultural uses

provided the use does not, in the opinion of the approving authority, cause conflict with adjacent agricultural operations.

- 6.6 Subdivisions and developments consists of more than one parcel have a greater effect on the agricultural operations than a single-lot subdivision or development. Subject to policies 6.1, 6.2, 6.4, it is the policy of the Municipal District that multi-lot subdivisions or developments shall require land reclassification under the Land Use Bylaw.
- 6.7 Where productive agricultural land is removed for roads, rail lines, pipelines, transmission lines, well sites, etc., the Municipal District shall only endorse those proposals which minimize the loss and fragmentation of productive agricultural land.
- 6.8 The Municipal District shall attempt to direct new livestock operations to locate in areas of minimal risk to surface water and ground water contamination.
- 6.9 The Municipal District shall encourage livestock operators to protect rivers, creeks and riparian areas from contamination by manure, both directly and through run-off. When considering a subdivision application, the Municipal District may create an environmental reserve to protect such areas.
- 6.10 The Municipal District shall encourage livestock operators to locate seasonal feeding sites such that the risk of surface water and ground water contamination is minimized.
- 6.11 The Municipal District shall encourage livestock operators to develop manure management plans. The Municipal District may assist operators to develop and improve their manure management plans.
- 6.12 The Municipal District shall encourage livestock operators to conduct regular soil tests to confirm that nutrient application, including animal manures, are being applied on crop and/or forage land in a sustainable method, based on plant needs.
- 6.13 Through the production and distribution of educational materials, the Municipal District may inform livestock operators of manure management issues and options.

7.0 INTENSIVE AGRICULTURE (CONFINED FEEDING OPERATIONS)

Intent

With the 2001 amendment to the Agricultural Operations Practices Protection Act, the Province of Alberta assumed control of confined feeding operations (CFOs). The purpose of this section is to provide the Natural Resources Conservation Board (NRCB), or an individual acting on behalf of the NRCB, with guidelines on the siting of confined feeding operations in the Municipal District of Provost No. 52.

It is the intention of Council to provide guidelines and comments to the Natural Resources Conservation Board on applications for new or expanding confined feeding operations within the municipality.

Objectives

1. To indicate those areas where confined feeding operations would not be allowed due to environmental concerns and/or nuisance factors.
2. To indicate those areas where confined feeding operations would be allowed provided adequate mitigative measures are used to address environmental concerns and/or nuisance factors.
3. To conserve and protect water resources.
4. To represent those practices that are generally accepted by the municipal community.

Policies

The following information is required for interpretation of the policies for this section:

Table 1. Categories of Confined Feeding Operations, by number of head.

Species	Category #1	Category #2	Category #3	Category #4
Beef cattle	550-2,500	2501-5000	5000 – 10,000	10,000+
Sow (farrow-finish)	40-120	121-300	301 - 600	600 +
Sow (farrow-wean)	80-360	361-1000	1001 - 2000	2000 +
Hog feeders	360-1,200	1201-3600	3600 - 7200	7200+
Hog weaners	800-3,600	3601-10,000	10,001 – 20,000	20,000+
Other	Discretionary	Discretionary	Discretionary	Discretionary

- 7.1 The minimum sized site for a confined feeding operation shall be one-quarter section.
- 7.2 Sites with soils or fractured bedrock that would allow contaminants direct access to groundwater, or with a high or very high potential for groundwater contamination, shall be avoided.
- 7.3 Category #3 and #4 CFOs shall be constructed on sites which will provide a minimum of fifty years seepage to the uppermost identified groundwater source.
- 7.4 Manure storage facilities shall not be constructed within 100 m (330 ft) of any spring or water well or within 40 m (125 ft) of any open body of water.
- 7.5 Manure storage facilities shall be at least 1 m (3 ft) above the 1:100 year floodplain or above the highest known flood level.
- 7.6 All liquid manure storage facilities (lagoon or barn) shall be engineered by a Professional Engineer to meet or exceed a site standard of 100 years seepage to groundwater.
- 7.7 Within 300 m (1000 ft) of a residence, liquid manure shall be incorporated into the soil by means of injection.

- 7.8 The minimum distance separation between confined feeding operations and adjacent residences shall be:
- Category #1 1.0 mile
 - Category #2 1.0 mile
 - Category #3 1.0 mile
 - Category #4 1.5 mile
- The minimum distance separation may be reduced with written permission from neighbouring residents.
- 7.9 The minimum separation distance between confined feeding operations and adjacent villages, towns, hamlets and lake districts (as identified in the Land Use Bylaw) shall be:
- Category #1 1.0 mile
 - Category #2 1.5 mile
 - Category #3 1.5 mile
 - Category #4 2.0 mile
- 7.10 The Municipal District shall not support the expansion or development of confined feeding operations within the rural fringe areas if there are developments or land uses within the adjacent municipality that would not meet the necessary setback requirements for confined feeding operations outlined in 7.8 and 7.9.
- 7.11 Developers should utilize technological advancements in manure storage and handling, barn design and livestock management which may result in reduced potential for odour, dust and fly complaints.
- 7.12 Catch basins which hold run-off for intermittent periods shall be engineered by a Professional Engineer to meet a site standard of 50 years seepage to groundwater.
- 7.13 Temporary storage of solid manure in a given location over a 3-year period shall not exceed 6 continuous months. Temporary solid manure storage should be located to minimize nuisance to neighbours.
- 7.14 Liquid manure storage facilities should be covered or use some other effective means of odour control should be utilized.
- 7.15 When a catastrophic failure could result in direct discharge of liquid manure into an open body of water or leave the owner's property, secondary containment of the liquid storage facility's contents shall be required.
- 7.16 Seepage monitoring should be required for liquid earthen manure storages.
- 7.17 Manure application shall not occur when:
- (a) Nitrate-Nitrogen ($\text{NO}_3\text{-N}$) levels in the top 60 cm (24 inches) of the soil profile exceed those set out in Section 6.3.2.1 of the "2000 Code of Practice for Responsible Livestock Development and Manure Management" by Alberta Agriculture, Food and Rural Development.
 - (b) Phosphate (P_2O_5) levels in the top 60 cm (24 inches) of the soil profile exceed 300 lbs/acre

8.0 RURAL INDUSTRIAL/COMMERCIAL USES

Intent

Rural industrial/commercial uses represent a broad land use category. The Municipal District has a wide variety of these types of uses. Some industrial/commercial uses are related to specific natural resources and as a result their location within the Municipality is pre-determined. Other types of rural industrial/commercial uses are not required to locate on a specific site. Uses such as farm implement dealers, well service and storage businesses, truck stops and motels prefer to locate in proximity to their customers. The Municipality is also beginning to see the emergence of rural tourism and “ag-tourism” operations as rural communities and farm families diversify and grow. Council recognizes the important contribution rural industrial/commercial uses make towards providing employment opportunities for Municipal residents as well as stimulating the growth and development of the entire municipality.

It is the intention of Council to provide objectives and policies which encourage the growth and development of rural industrial/commercial uses throughout the Municipal District, while minimizing conflicts with other land uses.

Objectives

1. To encourage opportunities for a variety of industrial/commercial uses.
2. To minimize the loss of productive agricultural land to industrial/commercial uses.
3. To minimize conflicts between industrial/commercial uses and neighboring land uses.
4. To conserve and protect water resources.

Policies

- 8.1 The Municipal District shall consider a variety of rural industrial/commercial uses provided the impacts associated with a proposed use do not unduly interfere with the residents of the Municipal District, their property, or the environment.
- 8.2 In order to determine the impacts of proposed industrial/commercial uses the Municipal District may request comments from those Provincial and local agencies which may provide information on such matters.
- 8.3 Where practical, rural industrial/commercial uses shall be directed to non-productive agricultural land. This policy shall be given a priority consideration when reviewing applications for subdivision or development of land, or applications for land reclassification under the Land Use Bylaw.
- 8.4 Subject to policy 8.3, and based on an assessment of agricultural productivity as outlined under policy 6.2, the Municipal District may consider the subdivision or development of one site from an unsubdivided quarter section for rural industrial/commercial use. An unsubdivided quarter section includes those quarter sections where a separate title exists for a public or institutional use.
- 8.5 Subject to policy 8.3, and based on an assessment of agricultural productivity as outlined under policy 6.2, multi-lot rural industrial/commercial subdivisions or multiple developments shall require reclassification under the Land Use Bylaw.
- 8.6 The Municipal District shall encourage rural industrial/commercial uses, which are not compatible with elements of the urban environment to locate in rural areas of the Municipality. These include uses, which have large land requirements and minimal municipal servicing needs.

- 8.7 All rural industrial/commercial uses shall have access to an existing all-weather road, subject to 8.8 below. Other transportation needs, including rail access and highway access, shall be determined at the time of the review of the proposal.
- 8.8 The Municipal District may require the proponent of a rural industrial/commercial use to enter into a development agreement regarding the construction of necessary roadways and services to the site as part of the subdivision or development process.
- 8.9 The Municipal District shall not support rural industrial/commercial uses proposed to be located in hazard land areas, which include river banks, lakeshores, river valleys, coulees and other similar areas, unless mitigative measures can be implemented to the satisfaction of the Municipal District.
- 8.10 All rural industrial/commercial uses shall be located on sites which are capable of supporting the intended use. This includes sites with adequate drainage, soil and slope conditions.
- 8.11 Resource extraction types of rural industrial/commercial use shall be required to prepare reclamation plans to the satisfaction of the Municipal District and Alberta Environment.
- 8.12 Rural industrial/commercial uses proposed to be located within the urban fringe area as identified in the Land Use Bylaw shall have regard to the long range growth plans and other concerns of the adjacent urban municipality.
- 8.13 All rural industrial/commercial uses shall take such steps as required by the Municipal District to prevent any waste or waste products from contaminating ground water and/or surface water.
- 8.14 The Municipal District may require large rural industrial/commercial uses to recycle water used in the development.
- 8.15 The Municipal District may require rural industrial/commercial uses to prove that the water required for a given development will not reduce the availability of water for other users.
- 8.16 The Municipal District discourages the use of potable water for industry, such as deep well injection.
- 8.17 The Municipal District may control the location and design of rural industrial/commercial uses with the purpose of minimizing conflicts with adjacent or surrounding land uses through unsightly appearance, emission of noise or pollutants, creation of dust and similar disturbances.

WIND ENERGY

- 8.18 The M.D. supports the integration of wind energy conversion systems in appropriate and compatible rural areas throughout the M.D. in consideration of applicable MDP policies and as determined by a collaborative application process including sufficient public consultation requirements in accordance with the Land Use Bylaw.
- 8.19 It is the purpose and intent to promote the safe, effective and efficient use of Wind Energy Conversion System - Microgeneration to reduce the overall electrical energy consumption requirements from the electrical grid while protecting public health and safety without significantly increasing the cost or decreasing the efficiency of a WECS - Microgeneration. A WECS - Microgeneration may be appropriately located on agricultural, rural residential and rural commercial/ industrial sites and public facilities in accordance with the Land Use Bylaw requirements.

- 8.20 Subject to policy 8.3 and 8.20, Wind Energy Conversion System - Commercial developments shall require reclassification to the Commercial Wind Energy 'CWE' Land Use District prior to acceptance of a development permit application.
- 8.21 When a land use reclassification application for 'CWE' – Commercial Wind Energy land use district is made the Council shall have consideration for the following:
- a) An evaluation of the density of existing WECS,
 - b) any existing approvals and currently valid permits for WECS that have not been constructed;
 - c) visual impact on the landscape and potential negative effects on significant viewscales or historical resources; and
 - d) consideration of any presentations made at the public hearing.
- 8.22 The M.D. supports the repowering of wind energy developments upon completion of the life-cycle or abandonment of a project.
- 8.23 The M.D. shall ensure that obsolete or abandoned wind energy developments are properly decommissioned within an appropriate time of abandonment.

9.0 RECREATION

Intent

The Municipal District has potential for developing outdoor recreation opportunities. The many sloughs and lakes provide sites for hunting, bird watching and other passive outdoor pursuits. Shorncliffe and Capt. Ayre lakes provide more intensive recreational development enjoyed by many Municipal residents.

In recent years the Municipal District has worked jointly with local Recreation Boards to establish programs and facilities to serve the needs of its residents. Council recognizes the important role these local Recreation Boards maintain in providing recreation opportunities throughout the Municipality.

It is the intention of Council to provide objectives and policies to manage the recreation resources of the Municipality for the enjoyment of all Municipal residents.

Objectives

1. To provide for a variety of recreational opportunities.
2. To encourage the development of recreational opportunities and facilities within easy access of Municipal residents.
3. To establish appropriate planning programs to manage development associated with Shorncliffe and Capt. Ayre lakes.
4. To conserve and protect water resources.

Policies

- 9.1 The Municipal District shall encourage recreation uses to locate on non-productive agricultural land.
- 9.2 Recreational uses proposed to be located in hazard land areas, such as river valleys, coulees, adjacent to water bodies or in areas of steep slope or high water table, shall be required to provide an impact assessment to the satisfaction of the Municipal District.
- 9.3 The Municipal District shall continue to work with the local Recreation Boards to develop programs and facilities throughout the Municipality, which serve the needs of local residents.
- 9.4 The Municipal District believes that Shorncliffe and Capt. Ayre lakes are special recreation areas due to their water-related recreational opportunities. In order to properly manage this resource for present and future users, the Municipal District may establish a planning program designed to develop an appropriate land use planning scheme for each lake. In the development of this planning scheme, consideration shall be given to the following:
 - the land use pattern,
 - the ability of the site to absorb additional development,
 - the ability of the lake to accommodate additional development,
 - public access and facilities,
 - water quality,
 - the concerns of the present lake users, and
 - any other matters considered appropriate.
- 9.5 *(Deleted – Bylaw 2158, December 9, 2004)*
- 9.6 In deciding on applications for new or expanding recreational uses, the Municipal District shall consider the impact on and availability of water resources.

- 9.7 The Municipal District may monitor water quality on Shorncliffe and Capt. Ayre lakes.
- 9.8 The Municipal District shall require any new or expanding developments in proximity to Shorncliffe and Capt. Ayre lakes (identified as Lake Districts in the Land Use Bylaw) to install an approved holding tank as means of private sewage disposal.
- 9.9 The Municipal District may convert the sewage disposal systems for its recreational facilities to holding tanks or some other environmentally sustainable system.

SCHEDULE A

9.0B MUNICIPAL AND SCHOOL RESERVES

Intent

The Municipal District has potential for developing outdoor recreation opportunities. The many sloughs and lakes provide sites for hunting, bird watching and other passive outdoor pursuits. Shorncliffe and Capt. Ayre lakes provide more intensive recreational development enjoyed by many Municipal residents.

In recent years the Municipal District has worked jointly with local Recreation Boards to establish programs and facilities to serve the needs of its residents. Council recognizes the important role these local Recreation Boards maintain in providing recreation opportunities throughout the Municipality.

According to Section 666 of the Municipal Government Act RSA 2000, M. 26; a subdivision authority may require the owner of a parcel of land that is the subject of a proposed subdivision:

- (a) to provide part of the parcel of land as municipal reserve, school reserve, or municipal and school reserve,
- (b) to provide money in place of municipal reserve, school reserve, or municipal and school reserve, or
- (c) to provide any combination of land or money referred to in clauses (a) and (b).

The aggregate amount of land that may be required under subsection (1) may not exceed 10% of the parcel of land less the land required for to be provided as environmental reserve and the land made subject to an environmental reserve easement. The total amount of money that may be required to be provided in place of land may not exceed 10% of the appraised market value of the parcel of land less the land required to be provided as environmental reserve and the land subject to an environmental reserve easement.

Section 671 of the Municipal Government Act RSA 2000, cM.26; states the allowable uses for municipal reserve, school reserve, or money in place of reserve. Municipal reserve, school reserve or municipal and school reserve may be used by a municipality or school authority for any or all of the following purposes:

- (a) a public park;
- (b) a public recreation area;
- (c) school authority purposes
- (d) to separate areas of land that are used for different purposes.

It is the intention of Council to provide objectives and policies to manage Municipal and School reserves to assist in the creation and development of recreation resources for the enjoyment of all Municipal residents.

Objectives

1. To provide for a variety of recreational opportunities.
2. To encourage the development of recreational opportunities and facilities within easy access of Municipal residents.

Policies

- 9.1B The Municipal District supports many community recreation structures and facilities with both operation and capital needs. Thus, 10% of the appraised land value based on the accepted land valuation method in Section 9.3B, shall be taken as reserve allocation in accordance with Section 666(2) of the Municipal Government Act to ensure the recreational and operational needs of the area are met.
- 9.2B The Municipal District may defer the reserve allocation by caveat against the remaining land area if it is deemed that the terminal subdivision has not been reached (that additional subdivisions are to occur within the land area) in accordance with Section 669 of the Municipal Government Act. The deferral of reserves should be based on a recognized planning document for the land area that portrays a future use acceptable for reserve lands such as a park, school, buffer strip, or any other use acceptable in Section 671 of the Municipal Government Act.
- 9.3B The approved land valuation method shall be based on:
- (a) the purchase price (or price per acre) of the land area if the land was purchased within one (1) year from the date of application for subdivision,
 - (b) a market value appraisal of the existing parcel of land occurring within the 60 day period following the date on which the application for subdivision approval is made
 - (i) as if the use proposed for the land that is the subject of the proposed subdivision conforms with any use prescribed in the M.D. of Provost Land Use Bylaw for that land, and
 - (ii) on the basis of what might be expected to be realized if the land were in the unsubdivided state and sold in the open market by a willing seller to a willing buyer on the date on which the appraisal is made.
- 9.4B Municipal Reserves shall be taken as money in place of land if no parks or recreation areas are determined to be located in the subdivision area through existing planning documents (ie. Concept plan, area structure plan).
- 9.5B The Municipal District shall provide 50% of the reserve allocation as money in place of land to the Buffalo Trail School Division and the East Central Alberta Catholic Separate Schools Regional Division No. 16 in equal half shares where both School Authorities have jurisdiction, and that this disbursement shall be provided on an annual basis in recognition of the subdivision activity that occurred over each particular year in accordance with Section 671(4).
- 9.6B The Municipal District shall provide 50% of the reserve allocation as money in place of land to the Buffalo Trail School Division, where the Buffalo Trail School Division is the only recognized school authority with jurisdiction in the subdivision area, and that this disbursement shall be provided on an annual basis in recognition of the subdivision activity that occurred over each particular year in accordance with Section 671(4).

10.0 COUNTRY RESIDENTIAL USES

Intent

The population within the rural area (not including hamlets) of the Municipal District is largely associated with existing agricultural operations. The majority of subdivision inquiries and applications relate to existing farmstead sites. In general, there appears to be little demand for multi-lot country residential development and this situation is not expected to change in the foreseeable future.

It is the intention of Council to provide objectives and policies which provide for the development of country residential uses while ensuring that these uses, where practical are directed to non-productive agricultural land.

Objectives

1. To ensure, where practical, that productive agricultural land is not lost to country residential development.
2. To minimize conflicts between country residential development and other neighboring land uses.
3. To allow for a variety of country residential opportunities.

Policies

- 10.1 Where practical, country residential development, including farmsteads, shall be located on non-productive agricultural land.
- 10.2 When reviewing proposals for the development or subdivision of land, or applications for land reclassification under the Land Use Bylaw for country residential uses, the Municipal District shall assess the agricultural productivity of the site in accordance with policy 6.2.
- 10.3 Notwithstanding policies 10.1 and 10.2, the Municipal District may allow for the subdivision of one parcel from an unsubdivided quarter section for a country residence or a farmstead.
- 10.4 Multi-lot country residential developments shall not be located on productive agricultural land and shall be reclassified to the Country Residential District under the Land Use Bylaw.
- 10.5 The Municipal District shall not support country residential development on sites where water quality and quantity is substandard or on sites where sewage disposal cannot be accommodated on each individual lot.
- 10.6 The Municipal District may support a rural manufactured home park provided the following conditions are met:
 - the provision of a communal water distribution system,
 - the provision of a communal sewage collection system,
 - both communal systems, or
 - water and sewage systems relating to individual stalls, providing the Municipal District and other appropriate approving agencies are satisfied that the proposed water and sewage system is adequate to meet the long term needs of rural mobile home park residents.
- 10.7 The Municipal District shall require country residential development to have access to an existing all-weather road, subject to 10.8.

- 10.8 The Municipal District may require the applicant for a country residential development or a rural manufactured home park to enter into a development agreement regarding the construction of necessary roadways and services as part of the development or subdivision approval process.
- 10.9 The Municipal District shall not support multi-lot country residential development including rural mobile home parks in hazard land areas, such as coulees, river valleys, areas of steep slope or high water table conditions unless mitigative measures can be implemented to the satisfaction of the Municipal District.

11.0 URBAN FRINGE AREAS

Intent

The Villages of Amisk, Czar and Hughenden, and the Town of Provost lie within the boundaries of the Municipal District of Provost. In general, the economic health of these communities is very closely related to the economic health of the surrounding rural community. These incorporated urban centers provide a wider range of services than can be found in the hamlets. As the population of these urban centers grows, new services will be developed. In conjunction with this expansion, additional land will be required by these urban centers.

At the same time, there are a number of land uses which are naturally attracted to the fringe area of urban centers. Uses such as drive-in movie theaters, oil field equipment operators, bulk farm fuel and fertilizer dealers and country residential developments are examples of these types of uses. Unless properly planned, conflicts can result between land needed for urban expansion and urban fringe uses.

It is the intention of Council to provide objectives and policies designed to manage the development of urban fringe areas in order to minimize conflicts, while supporting the Plan goal of conserving agricultural land.

Objectives

1. To encourage urban expansion to be directed to non-productive agricultural land where possible.
2. To minimize land use conflicts between the Municipal District and local incorporated urban centers.
3. To provide a coordinated approach to the management of land use within the urban fringe area.

Policies

- 11.1 The Municipal District shall establish an urban fringe area around the Town of Provost and the Villages of Czar, Amisk and Hughenden in the Land Use Bylaw.
- 11.2 The Municipal District may participate in Joint Development Committees with adjacent urban municipalities. Further, the Municipal District shall encourage such Joint Development Committees to meet on a regular basis to discuss issues in the urban fringe areas.
- 11.3 In order to achieve an informed and coordinated approach to the management of land uses within urban fringe areas, the Municipal District shall:
 - provide an opportunity for an adjacent urban center to comment on all development and subdivision activity in urban fringe areas, and
 - actively encourage urban municipalities to prepare long range plans which identify future expansion areas and land uses.
- 11.4 The Municipal District shall support the expansion of an urban center provided such expansion:
 - is based on an identified need,
 - is consistent with the overall planning strategy of the subject urban center,
 - is suited for urban uses and servicing, and
 - is, where practical, directed to areas of non-productive agricultural land.

- 11.5 The Municipal District recognizes the valuable role urban centers play in providing commercial, industrial, institutional, recreational and residential services. The Municipal District shall endeavor to restrict land uses in urban fringe areas which may jeopardize efficient and orderly urban growth.
- 11.6 The Municipal District shall not support multi-lot rural industrial/commercial development or multi-lot country residential development or rural/mobile home parks within urban fringe areas.

12.0 HAMLETS

Intent

The hamlets within the Municipality were established in the early 1900's as part of the development of the Canadian Pacific Railway. Today, the hamlets provide recreational opportunities and facilities for their residents and the surrounding agricultural community.

It is the intention of Council to provide objectives and policies to encourage the continued growth of hamlets while ensuring that hamlets are well-planned.

Objectives

1. To encourage the growth of hamlets as an alternative life style.
2. To ensure that all hamlets are properly planned.
3. To ensure that the development of hamlets does not place an undue burden on the financial resource of the Municipal District.

Policies

- 12.1 The Municipal District shall identify Bodo, Cadogan, Hayter and Metiskow as hamlets.
- 12.2 The Municipal District shall encourage the growth of hamlets by providing opportunities for a variety of land uses including, residential, commercial, industrial, recreational and institutional. Notwithstanding this policy, the Municipal District shall not support uses which are incompatible with elements of a small scale urban environment such as hazardous or polluting industries.
- 12.3 The Municipal District shall direct, where practical, the expansion of hamlets to non-productive agricultural land.
- 12.4 In hamlets, subdivision or development which will not be serviced with communal water and/or sewage facilities shall be required to meet the standards established by Alberta Environment, the East-Central Health Authority and the Subdivision Approving Authority.
- 12.5 In order to ensure that hamlets are well-planned the Municipal District may provide for the future land use needs of each individual hamlet through the determination of an appropriate planning scheme. These specific hamlet planning schemes may reflect:
 - the existing and future land use pattern,
 - the existing and proposed parcel sizes,
 - the servicing demand for water and sewer,
 - the long-term future growth areas, and
 - any other matter the M.D. considers appropriate.
- 12.6 The Municipal District shall not provide communal water and/or sewer services in presently unserviced hamlets until such time as the practicality of a communal water and/or sewage distribution system has been determined.
- 12.7 The Municipal district shall establish an urban fringe area around the Hamlets in the Land Use Bylaw.

Amended by
Bylaw 2158
Dec 9, 2004

13.0 TRANSPORTATION AND UTILITY USES

Intent

Residents of the Municipal District rely on the transportation and utility network to move people, goods and services. Roads, power lines, rail lines, pipelines and airports may not occupy much land, however they have impacts which effect large areas and different types of land uses.

It is the intention of Council to provide objectives and policies designed to manage potential conflicts between transportation and utility uses and other neighboring land uses.

Objectives

1. To minimize the loss of productive agricultural land to transportation and utility uses.
2. To minimize the potential for conflict between transportation and other neighboring land uses.

Policies

- 13.1 The Municipal District recognizes that, in most cases, it does not have complete control over the location of new transportation and utility uses. However, it shall encourage those agencies having jurisdiction in these matters to:
- minimize the consumption of productive agricultural land,
 - provide for the establishment of transportation and utility corridors,
 - to establish rights-of-way along quarter section lines, property boundaries or existing easements,
 - minimize the impacts on existing uses, particularly residences and farm buildings, and
 - minimize the impacts on recreational areas and areas of natural beauty and wildlife.
- 13.2 The Municipal District shall not support the location of land uses adjacent to transportation and utility facilities which would detract from the functioning of these facilities. This includes maintaining adequate setbacks from highway, railroad, pipeline and transmission line right-of-ways.
- 13.3 As a general rule the Municipal District does not permanently close and sell roadways or road allowances.
- 13.4 On occasion the Municipal District may consider requests to close public roadways or road allowances. In evaluating these requests the Municipal District shall consider the following:
- the need to maintain access for residences, school bus routes, pipeline and utility easements, recreation areas, and other requisite uses of land, and
 - the use of the roadway or road allowance land after its closure, to ensure, that situations which result in the expansion of the agricultural land base are consistent with the overall Plan goals.
- 13.5 The Municipal District supports the reclamation of abandoned rail lines and returning ownership to adjacent land owners.

14.0 RURAL FRINGE AREAS

Intent

The County of Paintearth, County of Flagstaff, Municipal District of Wainwright No. 61, Wainwright Federal Military Camp, Special Area #4 and rural municipalities in the Province of Saskatchewan all have common boundaries with the Municipal District of Provost. In general, these communities are facing the same planning issues as the M.D. of Provost, and there should therefore be some common approaches with regard to development in proximity to the boundaries with adjacent municipalities. Unless properly planned, conflicts can result between rural fringe uses.

It is the intention of Council to provide objectives and policies designed to manage the development of rural fringe areas in order to minimize conflicts, while supporting the Plan goal of conserving agricultural land.

Objectives

1. To minimize land use conflicts between the Municipal District and adjacent rural municipalities.
2. To provide a coordinated approach to the management of land use within the rural fringe area.

Policies

- 14.1 The Municipal District shall establish a rural fringe area of 1 mile (1.6 km.) from the municipal boundary with all adjacent rural municipalities.
- 14.2 In order to achieve an informed and coordinated approach to the management of land uses within the rural fringe areas, the Municipal District shall:
 - provide an opportunity for an adjacent rural municipalities to comment on all development and subdivision activity in the rural fringe area, and
 - actively encourage rural municipalities to prepare long range plans which identify future potential development areas and land uses.
- 14.3 The Municipal District shall support development in the rural fringe provided that it:
 - is based on an identified need,
 - is consistent with the overall planning strategy of the adjacent rural municipality, and
 - is, where practical, directed to areas of non-productive agricultural land.
- 14.4 The Municipal District shall not support multi-lot rural industrial/commercial development or multi-lot country residential development or rural/mobile home parks within the rural fringe areas, unless the adjacent rural municipality agrees in writing to the proposal.
- 14.5 The Municipal District shall not support multi-lot rural industrial/commercial development or multi-lot country residential development or rural/mobile home parks within the rural fringe areas adjacent to the Wainwright Military base.

15.0 AIRPORT VICINITY REGULATIONS

Intent

The airport provides important benefits to the community including an alternative means of transportation and the provision goods and services. Development on lands immediately surrounding the airport must be regulated to protect the ongoing operation of the airport.

It is the intention of Council to provide objectives and policies designed to manage the development of lands around the airport and to manage conflicts between airport operations and surrounding land uses.

Objectives

1. To minimize potential land use conflicts between the airport and surrounding lands.
2. To minimize land use conflicts between the Municipal District and local incorporated urban centres.
3. To provide a structure for approving developments around the airport.

Policies

- 15.1 The Municipal District shall establish an airport protection district, known as an Airport Vicinity Protection Area, in the Land Use Bylaw.
- 15.2 The Municipal District shall not support the location of land uses within the Airport Vicinity Protection Area that would detract from the functioning of the airport. This includes maintaining adequate height restrictions and avoiding land uses which may create smoke, dust, electronic interference, or include misleading lighting, or land uses which attract birds.
- 15.3 The Municipal District shall not support the location of land uses in close proximity to the Airport Vicinity Protection Area that would detract from the functioning of the airport. This includes maintaining adequate height restrictions and avoiding land uses which may create smoke, dust, electronic interference, or include misleading lighting, or land uses which attract birds.
- 15.4 The Municipal District shall not support the development of structures which would impact:
 - (a) the take-off / approach surface of the runway;
 - (b) the transitional surfaces of the runway; and
 - (c) the outer surface of the airport
 unless it can be proven that such development would not interfere with the operation of the airport or its facilities.
- 15.5 The Municipal District may regulate agricultural operations in the Airport Vicinity Protection Area in accordance with 15.2 and 15.4.
- 15.6 The Municipal District shall not support country residential development within the Airport Vicinity Protection Area.
- 15.7 The Municipal District shall regulate development in close proximity to the airport protection district to minimize conflict between the airport's facilities and other uses.

16.0 PLAN INTERPRETATION

- 16.1 All words shall have the same meaning as defined in the Municipal Government Act and the Land Use Bylaw. For words not defined under the Land Use Bylaw their meaning shall be as is understood in everyday language.
- 16.2 The word “shall” is interpreted as meaning an obligatory direction.
- 16.3 The word “may” is interpreted as meaning a choice exists with no preferred direction intended.

17.0 PLAN IMPLEMENTATION

- 17.1 This Municipal Development Plan shall not relieve a person from compliance with the Land Use Bylaw nor any other document established pursuant to the Municipal Government Act.
- 17.2 The Council of the Municipal District of Provost No. 52 may amend this Municipal Development Plan as it considers necessary.
- 17.3 The Council of the Municipal District of Provost No. 52 shall review this Municipal Development Plan as is deemed necessary, at least once every five years.
- 17.4 This Municipal Development Plan comes into effect on the day it is adopted by Council.
- 17.5 To ensure conformity with Section 638 of the Municipal Government Act, and notwithstanding anything to contrary in this Plan, the provisions of the Provost Airport and Vicinity Area Structure Plan, being Bylaw No. 2154 and amendments thereto, also constitute the provisions of this Municipal Development Plan as it applies to the lands within the Provost Airport and Vicinity Area Structure Plan.

Amended by
Bylaw 2158
Dec 9, 2004

